



Appeal Decision

Site visit made on 19 August 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/H1705/W/22/3290503

16 Wellspring Lodge, Silchester Road, Tadley RG26 3PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Ms Clulow against Basingstoke and Deane Borough Council.
 - The application Ref 21/03225/HSE, is dated 14 October 2021.
 - The development proposed is described as 'Bicycle Store, Media Room, and first floor extension to existing outbuilding'
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Decision

1. The appeal is allowed and planning permission is granted for a bicycle store, media room, and first floor extension to existing outbuilding at 16 Wellspring Lodge, Silchester Road, Tadley RG26 3PX in accordance with the terms of the application, Ref 21/03225/HSE, dated 14 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan – Drawing No. WLSTP 141021; Proposed Elevations – Drawing No. WSL OB; Proposed Floor and Roof Plans – Drawing No. WSL OB.
 - 3) Prior to their use in the development details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall first have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
 - 4) The windows at first floor level on the western side elevation of the proposed extension shall be glazed with obscured glass, to at least the equivalent of Pilkington level 4 standard. The window and glazing shall be installed prior to use of the development and shall be permanently maintained in that condition thereafter.
 - 5) The building hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Wellspring Lodge, 16 Silchester Road, Tadley.

Preliminary Matters

2. Whilst the Council did not issue a decision on the planning application, it has provided a statement setting out the reasons why it would have refused planning permission. This has informed the main issues of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

4. The site is accessed via a long private drive set behind solid, high gates. The private drive serves the host dwelling (a detached bungalow) and a further property referred to as 'The Oasis'. The Oasis is a detached dwelling that is under construction, located to the south of the appeal site, having previously received planning permission in 2018.
5. The area surrounding the appeal property has a mixed character. It predominantly consists of semi-detached dwellings but also contains other dwelling types, including bungalows and terraced properties.
6. The outbuilding proposed to be extended lies on the edge of the appeal site and is located to the south-west of the host dwelling (16 Wellspring Lodge). Whilst the proposal would result in the outbuilding being extended to two-storeys in height and of an alternative design to the host dwelling, it would not be appreciable from the public domain. This is due to the surrounding built form and the considerable distance that the outbuilding is set from public vantage points.
7. The proposed ridge height of the extended outbuilding would exceed that of the existing host dwelling. However, I understand that there is an extant permission (ref 13/00788/HSE) to extend 16 Wellspring Lodge, including its ridge height. That extant permission has not been complete but works have commenced. From the evidence before me, I consider that there is a realistic prospect that the extant permission will be complete, at which point the current proposal would appear subservient in scale and nature to the main dwelling.
8. Even if, the extant permission was not complete, I do not consider that the proposal would have a harmful visually dominating impact on the host property. This is because despite its overall proposed height, and the design and materiality contrasting with the host dwelling, it would still clearly read as an outbuilding. Additionally, given the site-specific context, only limited private views of the proposed development and its relationship to the host property would be available. I therefore do not consider the proposed extension to the outbuilding to be harmful in nature.
9. The proposal includes a flag mast atop of the extended outbuilding. No specific concerns have been raised by the Council in relation to the size and nature of the flag mast. While from the evidence before me and my observations on site, I do not consider it would cause harm to the character and appearance of the site or surrounding area.
10. In forming my decision, I have had regard to the Council's Design and Sustainability Supplementary Planning Document 2018 (SPD). I recognise that the proposal does not fully accord with its guidelines, in terms of the design of the building being well related to the host building and appearing coherent, balanced, and elegant. Nevertheless, the SPD is guidance and recognises that decisions need to take account of a development's individual circumstances. As indicated above, given the existing context that the proposed development would be viewed within, I do not consider the appeal scheme to be harmful.

This is a view I have not taken lightly, but one based on my site visit and my consideration of the existing site circumstances and character of the area in which the appeal site sits.

11. For the reasons given above, I conclude that the proposal would not have an adverse effect on the character and appearance of the host property or the surrounding area. Accordingly, I find no conflict with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 (adopted 2016) which seeks, amongst other things, to promote a high standard of design through respecting the context and character of existing site conditions. Although it would not follow certain guidelines set out in the SPD, the proposal is not harmful due to its context.

Other Matters

12. There is some dispute between the main parties as to whether the outbuilding is within the curtilage of the appeal property and therefore whether, or not, it would benefit from permitted development rights (PDR). The appellant has provided evidence to demonstrate that the building would remain within the curtilage of 16 Wellspring Lodge. In any case, I have found the proposal to be acceptable without reliance upon an alternative fallback position under PDR.
13. The Council indicate that the proposal does not comply with its Parking SPD as the cycle storage is not conveniently located, albeit this was not stated in its suggested reason for refusal. However, the building contains an undercroft area of parking where the appellant has indicated bicycles would be stored. This appears to be of a suitable size and located for convenient access. My decision therefore does not turn on this matter.
14. Concerns have been raised by a neighbouring resident with regards to the impacts of the development upon their living conditions, with respect to privacy and overbearing impacts. However, from the evidence before me and observations on site it is not considered that the development would give rise to any unacceptable impacts on the living conditions of neighbours. This is due to the overall scale of the proposal, together with its distance from neighbouring residential properties, the proposed placement of windows as well as the nature of intervening development.
15. Reference has also been made in respect of restrictions on new dwellings because of the Detailed Emergency Planning Zone (DEPZ) for AWE Aldermaston. The proposal does not relate to the creation of a new dwellinghouse and therefore this is not of relevance.
16. It has been suggested that the granting of permission in principle for the proposed development would set a precedent in the area for other similar developments. However, the specific characteristics of the appeal site are somewhat unusual, while there is no significant evidence before me that further similar proposals are likely to come forward. In any event, each case must be considered on its own merits.

Conditions

17. I have had regard to the conditions suggested by the Council. For clarity and precision, and to ensure compliance with the National Planning Policy Framework, I have undertaken some minor editing of the suggested conditions where necessary.

18. In addition to the standard time limit for commencement of development, a condition is needed to secure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning.
19. A condition requiring details/samples of the external materials prior to their use in the extension to the outbuilding is required in the interest of the appearance of the proposals. The appellant has suggested that a condition relating to materials could refer to those specified within the submitted Planning Statement (October 2021). However, I consider that references to materials for use within the document lack the necessary level of precision and certainty.
20. The proposed first floor western windows would be located in very close proximity to the boundary with the adjoining builder's merchants. Whilst the neighbouring site is in commercial use, it is considered that a condition requiring the relevant windows be obscurely glazed is reasonable and necessary to protect the privacy of the existing or potential future use of the adjoining site.
21. A condition requiring that the outbuilding be incidental to the host dwelling house is necessary to accord with the terms of the planning application and prevent it becoming a self-contained residential unit.

Conclusion

22. For the reasons set out above, having regard to the development plan and all other material considerations, the appeal should be allowed.

Lewis Condé

INSPECTOR